

## Supporting Statement for Paperwork Reduction Act Submissions

for applications for **Import/Export of Migratory Birds Permits** contained in the regulations at 50 CFR 21.21.

### A. Justification

The following information is provided as part of a request to renew the Office of Management and Budget's approval for information collection pursuant to regulations that implement the Migratory Bird Treaty Act. These information collection requirements are contained in permit applications that will allow for the import and export of migratory birds. The application form for this activity was assigned number 3-200-6.

1. The Migratory Bird Treaty Act (MBTA) implements four treaties to protect migratory birds that the United States signed with Canada, Mexico, Japan, and Russia. The prohibitions under the MBTA effect the conservation objectives of the treaties. Under the MBTA it is unlawful to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase or barter, any migratory bird, their parts, nests, or eggs, except as permitted by regulations. Regulations implementing the MBTA authorize certain activities that are consistent with the intent of the treaties through a permitting system. The regulations for Migratory Bird Import/Export Permits appear in 50 CFR 21.21. The information collection requirements necessary for the public to apply for a permit to import or export migratory birds from the United States are contained in the current OMB approval. Since the issuance of the current OMB approval, the application form has been reformatted and modified for clarity.

The appropriate sections of the MBTA and the implementing regulations mandating or authorizing the collection of information are attached.

2. This collection of information is achieved by using the Service's Application form 3-200-6, which addresses the specific requirements contained in 50 CFR 21.21. The information is used by the Service to evaluate whether a permit can be issued to allow the import and export of migratory birds regulated by the MBTA.

3. To date, the electronic submission of the application is not possible. We must receive an originally signed application form. Facsimile and e-mailed signatures are not accepted, although applicants may submit supporting materials by facsimile transmission. We expect that as technology advances, we will be able to accept electronic submissions of applications. Therefore, we have changed the format of page 1 of the application form so that the information fields on the form correspond to the data fields in our Service-wide permit issuance and tracking computer system. Once the form is approved, it will be posted on the Internet in a format that will allow the public to complete the form on-line and print the completed form for signature and submission. We are also working on a mechanism to allow electronic submission of annual reports.

4. No duplicate information is collected elsewhere in the Service that could be utilized to decide

whether a Import/Export of Migratory Birds permit can be issued. Except for general information such as name and address, no other Federal agency collects this kind of information. Similar information is collected at the time an import or export is made using the Form 3-177 Wildlife Declaration Form as a means of identifying the wildlife and comparing it to information included on the permit authorizing the import or export. The Service has designed an application that avoids collecting duplicate information for migratory birds that are also listed under the Convention on International Trade in Endangered Species and/or the Endangered Species Act.

5. The Service estimates that 61 small businesses and/or entities annually submit this application for import or export of migratory birds. In order to reduce burden, the form has been made more user friendly.

6. The consequence of not collecting the information contained in this application form is that the applicant would not be issued a permit since the information collected is either required on the permit itself or needed to make the legal findings under the MBTA.

7. It is not anticipated that a respondent would have to address any of the information collection methods or circumstances described in this justification instruction.

8. We will request comments on this information collection in a Federal Register notice.

9. There is no provision within the MBTA to provide any gift or payment to respondents.

10. Since the information collected is subject to the requirements of the Privacy Act and the Freedom of Information Act, the Service can assure confidentiality to respondents. All applicants receive an information sheet explaining the requirements of both Acts.

11. None of the information collected on this application form is of a sensitive nature.

12. Service experience indicates that approximately 61 respondents will apply for an Import/Export permit each year. The frequency of response is on occasion. It will take an average of 1 hour to complete the application. Therefore, the burden assumed by the applicants would be 61 hours or less. Assuming an hourly cost of \$10.00 yields \$ 610 plus \$25 application processing fee (\$ 1,525) for businesses.

13. The annual "out of pocket" cost to the respondents is approximately \$1,525 (61 applicants multiplied by the \$25 application processing fee).

14. The annualized cost to the Federal Government is estimated to be approximately \$1,281 or less. This value is based on the average salary per hour of the Service personnel likely to be involved in the processing of the applications (\$17), plus operational expenses per hour (\$4), multiplied by the number of hours estimated required to process an application (1), multiplied by the number of applications the Service receives each year (61).

15. The reduction in cost burden to the Government resulted from our adjustment of our

information collection analysis to differentiate between new permit requests (i.e., respondents) and requests to renew existing permits that are due to expire. We have developed a streamlined renewal application (see form 3-200-58). Previous figures included applications received requesting renewal of a permit due to expire.

16. There are no plans for publication of the results of this information collection.

17. The Service is not seeking approval to not display the expiration date for OMB approval.

18. There are no exceptions to the certification statement contained in Item 19 of OMB Form 83-I for the information being collected by this application form.

**B. Collection of Information employing Statistical Methods.**

No statistical methods are used.